

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RICARDO CAJERO TORRES, et al.,

Plaintiffs,

-v-

SUSHI SUSHI HOLDINGS INC., et al.,

Defendants.

19 Civ. 2532 (PAE) (RWL)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received and carefully reviewed the motions and supporting submissions of Michael K. Chong, Esq., and Vincent L. Gonzalez, Esq., to withdraw as counsel for defendants, Dkts. 59, 63, as well as plaintiffs' opposition, Dkt. 65, and Chong and Gonzalez's reply, Dkt. 66. As stated in prior orders, the Court has held these motions in abeyance for several weeks in order to give defendants time to secure successor counsel. But the Court advised that, if no such counsel appeared by February 4, 2021, it expected to grant the motions to withdraw. Dkts. 60, 64. As of today, no successor counsel has appeared.

Substantially for the reasons set forth in the declarations of Chong and Gonzalez, the Court agrees that their withdrawal is warranted, and hereby grants their motions for leave to withdraw. Contrary to plaintiffs' opposition, granting these motions is unlikely to disrupt the yet-unscheduled trial in this action. As the Court explained at the December 23, 2020 case management conference, in light of the central-scheduling mechanism for jury trials occasioned by the ongoing COVID-19 pandemic, such a trial in this case is unlikely to go forward for many months. Nor will granting the motions to withdraw otherwise prejudice plaintiffs. If anything, doing so may hasten the disposition of some defendants' liability. As the Court stated in orders

on January 14 and 20, 2021, because defendants Sushi Sushi Holdings Inc. and Harlem Sushi Inc. are corporate entities that cannot proceed *pro se*, *Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007), without counsel acting on their behalf, the Court will entertain a motion for entry of default as to those defendants for failure to defend this lawsuit, *see* Dkts. 60, 64. As to the individual defendants who will now proceed *pro se*, Igor Grinberg and Angie Herrera, the deadlines previously imposed remain in place. *See* Dkt. 57.

To assure that individual defendants Mr. Grinberg and Ms. Herrera can ably defend themselves *pro se*, the Court directs Mr. Grinberg and Ms. Herrera to obtain ECF access and file notices of *pro se* appearance, containing their addresses and contact information.

Chong and Gonzalez are directed to serve this order on Mr. Grinberg and Ms. Herrera forthwith, and to file proof of such service on the docket by Monday, February 8, 2021.

SO ORDERED.

  
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PAUL A. ENGELMAYER  
United States District Judge

Dated: February 5, 2021  
New York, New York